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Convention on the Rights of Persons with Disabilities

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**Matters related to the implementation of the Convention: round table 3**

# Promoting inclusive urban development and implementation of the New Urban Agenda

## Note by the Secretariat

The present document, which was prepared in consultation with civil society and other relevant stakeholders in order to facilitate the round-table discussion on the theme "Promoting inclusive urban development and implementation of the New Urban Agenda", transmits to the Conference of States Parties to the Convention on the Rights of Persons with Disabilities, at its tenth session, background information approved by the Bureau-elect of the Conference.

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## Overview

1. In the report, *World Urbanization Prospects: The 2014 Revision*, it was reported that 54 per cent of the world's population resided in urban areas in 2014, and it was estimated that, by 2050, approximately 6.25 billion people, or 66 per cent of the world's population, would be living in urban areas,[1] of which 15 per cent were projected to be persons with disabilities.[2]

2. Available evidence reveals that in the current pattern of urbanization, persons with disabilities experience widespread lack of accessibility to the built environment, to basic urban services and to information and communications. In addition, extensive urbanization may create new barriers that prevent access for persons with disabilities, in particular to the built environment, transport and services, as well as to more sophisticated information and communication services in heavily populated areas.[3]

3. There are a number of factors that further impede the promotion of inclusive urban development for persons with disabilities. These include a lack of awareness, knowledge and good practices regarding inclusive urban development among policymakers, urban planners and developers and professionals; a dearth of specific legislation, government policies and technical standards on accessibility that regulate urban planning and construction; poor enforcement of existing laws and policies; insufficient resources; and the impact of armed conflicts.[4]

4. Accessibility is a precondition for persons with disabilities to live independently and achieve full and equal participation in society. Without access to the physical environment, transportation, information and communication, including information and communications technologies (ICTs) and related systems, and other facilities and services open or provided to the public, persons with disabilities do not have equal opportunities for participation in their respective societies.[5]

5. In line with the provisions of the Convention on the Rights of Persons with Disabilities,[6] persons with disabilities and their representative organizations must be closely consulted and actively involved in the development, planning, design, implementation, monitoring and evaluation of urban development policies so that such policies may benefit from their knowledge and expertise.

## Convention on the Rights of Persons with Disabilities, Relevant Frameworks and Reports

6. The Convention on the Rights of Persons with Disabilities, which is a legally binding human rights treaty with an explicit social development dimension, recognizes the human rights and fundamental freedoms of all persons with disabilities. Under article 9 of the Convention, on accessibility, States parties are required to "take appropriate measures to ensure to persons with disabilities access, on an equal basis with others, to the physical environment, to transportation, to information and communications, including information and communications technologies and systems, and to other facilities and services open or provided to

[1] ST/ESA/SER.A/366.

[2] World Health Organization and World Bank, *World Report on Disability* (Geneva, 2011). Available from www.who.int/disabilities/world_report/2011/report.pdf.

[3] CRPD/C/GC/2, paras. 7 and 16.

[4] Economic and Social Commission for Western Asia, "Towards inclusive, safe, resilient and sustainable Arab cities" (forthcoming).

[5] CRPD/C/GC/2, para. 1.

[6] General Assembly resolution 61/106, annex I.

the public, both in urban and rural areas". In the measures taken by States parties, the identification and elimination of obstacles and barriers to accessibility must also be addressed.

7. Under the Convention, States parties recognize the importance of universal design, defined in article 2 as "the design of products, environments, programmes and services to be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design", not excluding "assistive devices for particular groups of persons with disabilities where this is needed." The Convention also establishes the obligation of States parties to undertake or promote research into and the development of universally designed goods, services, equipment and facilities, in line with the provisions of article, as well as to promote universal design in the development of standards and guidelines.

8. Under article 21 of the Convention, on freedom of expression and opinion, and access to information, States parties are obligated to take all appropriate measures to ensure that persons with disabilities can seek, receive and impart information and ideas on an equal basis with others, including by: (a) providing information intended for the general public in accessible formats and technologies; (b) accepting and facilitating the use of sign languages, Braille, augmentative and alternative communication, and all other accessible means, modes and formats of communication; and (c) urging private entities to provide information and services in accessible and usable formats for persons with disabilities.

9. Other articles of the Convention relevant to inclusive urban development include article 5 on equality and non-discrimination, article 19 on living independently and being included in the community, article 20 on personal mobility and article 28 on an adequate standard of living and social protection, as well as the articles on education, work and employment, participation in political and public life and participation in cultural life, recreation, leisure and sport.

10. Under article 4 (3) of the Convention, States parties undertake to closely consult with and actively involve persons with disabilities through their representative organizations, known as organizations of persons with disabilities. In this regard, the Committee on the Rights of Persons with Disabilities has underlined the importance of including persons with disabilities in the development and implementation of legislation and policies to implement the Convention and in other decision-making processes concerning issues relevant to persons with disabilities.

11. The commitment of the international community to advancing the human rights of persons with disabilities in sustainable development has been strengthened with the adoption of the 2030 Agenda for Sustainable Development.[7] Persons with disabilities are explicitly referenced in seven Goals and targets, in particular in Sustainable Development Goal 11 on sustainable cities and communities, which includes targets to provide accessible transport systems and public spaces.

12. Under the New Urban Agenda, adopted by the United Nations Conference on Housing and Sustainable Urban Development (Habitat III) in 2016, States committed themselves to promoting equitable and affordable access to sustainable basic physical and social infrastructure for all, without discrimination. Such infrastructure includes affordable serviced land, housing, modern and renewable energy, safe drinking water and sanitation, safe, nutritious and adequate food, waste disposal, sustainable mobility, health care and family planning, education, culture

[7] General Assembly resolution 70/1.

and ICTs for persons with disabilities. The New Urban Agenda also encouraged the elimination of legal, institutional, socioeconomic and physical barriers for all.[8]

13. The Sendai Framework for Disaster Risk Reduction 2015-2030 commits Member States to the use of the principles of universal design, as well as to a "Build Back Better" approach to recovery, rehabilitation and reconstruction, and states that persons with disabilities must be empowered to publicly lead and promote gender equitable and universally accessible response, recovery, rehabilitation and reconstruction approaches.[9]

14. Other documents relevant to promoting inclusive urban development include general comment No. 2 (2014) of the Committee on the Rights of Persons with Disabilities, on accessibility,[10] and general comments Nos. 4 (1991) and 15 (2003) of the Committee on Economic, Social and Cultural Rights, on the right to adequate housing[11] and on the right to water.[12] The 2016 report of the Special Rapporteur on the Rights of Persons with Disabilities on disability-inclusive policies[13] also seeks to provide guidance to States and other actors on how to establish policies that are in conformity with the Convention and that can contribute to the achievement of the Sustainable Development Goals.

## The Way Forward: implementing the New Urban Agenda and further promoting inclusion and accessibility for persons with disabilities

15. Many initiatives and good practices currently exist that can support States parties in the implementation of the Convention, using the Sustainable Development Goals, the New Urban Agenda and the Sendai Framework for Disaster Risk Reduction. The International Organization for Standardization (ISO) has published accessibility standards for built structures, transportation and ICTs and related systems.[14] The International Telecommunications Union has also developed guidelines and recommendations related to the accessibility of telecommunications and ICTs for persons with disabilities.[15] These standards, guidelines and recommendations can all be adapted to country-specific contexts. Accessibility audits are common in some countries and these can easily be adapted to be in line with ISO standards.

16. At the national level, progress is under way in translating the above-mentioned commitments into specific urban policies and actions to make cities and communities more accessible to and inclusive for persons with disabilities. For example, the action plan to make Kuala Lumpur an accessible city[16] is an example of good practice, in line with the Convention, throughout the three stages of design, construction and post-construction. Incorporating the participation and inclusion of persons with disabilities at every stage, the plan highlights the following three priority areas: legislation, enforcement and monitoring, and awareness-raising. The core concepts of the plan are the continuum of access, approachability, accessibility

[8] General Assembly resolution 71/256, annex, para. 34.
[9] General Assembly resolution 69/283, annex II, paras. 30 (c) and 32.
[10] CRPD/C/GC/2.
[11] E/1992/23-E/C.12/1991/4, annex III.
[12] E/C.12/2002/11.
[13] A/71/314.
[14] See www.iso.org.
[15] See www.itu.int.
[16] *Good Practices of Accessible Urban Development: Making urban environments inclusive and fully accessible to all* (ST/ESA/364), section III, case study 3.

and usability through the application of universal design.[17] In addition, accessible rapid transit systems have been constructed in Curitiba, Brazil; Bogota; Quito; Ahmedabad, India; and Dar es Salaam, United Republic of Tanzania.

17. Finally, the successful implementation of the New Urban Agenda will not be achieved without broad-based multi-stakeholder partnerships and the full and meaningful participation of persons with disabilities and their representative organizations, in line with article 4 (3) of the Convention.

## Questions for consideration

18. The following questions are presented for consideration at the round-table discussion:

(a) What opportunities do the New Urban Agenda, the 2030 Agenda for Sustainable Development and the Sendai Framework for Disaster Risk Reduction present for States parties in furthering the implementation the Convention at the national and regional levels?

(b) What innovative solutions exist to address and promote inclusive urban development for persons with disabilities?

(c) What are the progressive roles of ICTs and related systems in promoting the effective implementation of the Convention and the guidance put forward by the New Urban Agenda?

(d) How can national and regional inclusive urban development strategies capitalize on the knowledge and expertise of persons with disabilities and their representative organizations?

[17] See *Accessibility for All: Good practices of accessibility in Asia and the Pacific to promote disability-inclusive development* (United Nations publication, Sales No. E.17.II.F.3).